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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/618,183	07/10/2003	Stephen Epstein	MEDIV2010-4

28213  
 GRAY CARY WARE & FREIDENRICH LLP  
 4365 EXECUTIVE DRIVE  
 SUITE 1100  
 SAN DIEGO, CA 92121-2133

**CONFIRMATION NO. 4304**

**FORMALITIES LETTER**



\*OC000000011032107\*

Date Mailed: 10/14/2003

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY


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28213  
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 SUITE 1100  
 SAN DIEGO, CA 92121-2133



\*OC000000011032791\*

Date Mailed: 10/14/2003

**NOTICE REGARDING NONPUBLICATION REQUEST**

The nonpublication request filed on 07/10/2003 is acknowledged.

- Applicant has requested non-publication, certifying that the invention disclosed in this application has not been and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing, and has also claimed the benefit of an application filed in another country or under a multilateral agreement. Because this certification is inconsistent with the priority claim, the Office has scheduled this application for publication in accordance with 37 CFR 1.211(a). If applicant considers the certification submitted with this application to be consistent with the priority claim and persists in requesting that this application not be published pursuant to 37 CFR 1.211, applicant has a non-extendable time period of thirty (30) days from the mail date of this notice to provide a satisfactory explanation as to how the certification submitted with this application is valid in light of the priority claim.

Questions regarding this notice may be directed to the Office of Initial Patent Examination at (703) 308-1202.